

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In the Matter of the Search of:

MARK BRIAN HENKEL (as further described in Attachment A-2) and the single family home located at 4408 Chris Lane, Ann Arbor, Michigan (as further described in Attachment A-1)

Case Number: 2:20-mc-51391-1

Kimberly G. Altman  
Magistrate Judge

**UNDER SEAL**

**GOVERNMENT’S MOTION TO EXTEND THE TIME TO RETURN  
ELECTRONIC DEVICES AND STORAGE MEDIA**

The UNITED STATES OF AMERICA, by JOHN R. LAUSCH, JR., United States Attorney for the Northern District of Illinois, states as follows in support of its Motion to Extend the Time to Return Electronic Devices and Storage Media:

1. On or about November 13, 2020, the government submitted an Application and Affidavit for Search Warrants (“Application”) in this matter. The Application provided facts supporting probable cause to believe that evidence and instrumentalities concerning mail and wire fraud and obstruction of justice offenses, in violation of Title 18, United States Code, Sections 1341, 1343, and 1512 (the “**Subject Offenses**”), would be found at the property with one single family home located on the east side of Chris Lane, with the address 4408 Chris Lane, Ann Arbor, Michigan, 48103, and the person of Mark Brian Henkel.

2. The Application further provided that the government would return any electronic storage media within 60 days of any removal, unless those items contained contraband or constituted an instrumentality of crime, or unless otherwise ordered by the Court. *See* Addendum to Attachment B-1 and B-2 of the Application.

3. On or about November 13, 2020, this Court granted the Application and issued the Search Warrants (2:20-mc-51391-1).

4. On or about November 18, 2020, law enforcement executed the Search Warrant. Law enforcement seized approximately eight laptop or desktop computers, seven cellular telephones, four USB/flash storage drives, two digital cameras, and an iPod. These electronic devices and storage media were submitted for forensic examination.

5. The 60-day time limit to return the above-listed electronic devices and storage media ends on or about January 17, 2021.

6. To date, law enforcement has not yet been able to access, image, and review the above-listed items and is still in possession of these devices and storage media. Law enforcement requires additional time to attempt to access the various devices and to try different encryption-defeating techniques in order to access certain of them.

7. To date, the government and law enforcement have not received a request from Mark Brian Henkel or his counsel that any of the electronic devices and storage media be returned.

8. In light of the above, the government requests an additional 120 days to complete its forensic examination and analysis of the data stored on the above-listed electronic media and storage devices.

WHEREFORE, the government respectfully requests that this Court grant an additional 120 days, to and including May 17, 2021, to return the electronic devices and storage media, or make a determination that they contain contraband or constitute an instrumentality of the crime.

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DATE: January 15, 2021

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In the Matter of the Search of:

MARK BRIAN HENKEL (as further described in Attachment A-2) and the single family home located at 4408 Chris Lane, Ann Arbor, Michigan (as further described in Attachment A-1)

Case Number: 2:20-mc-51391-1

Kimberly G. Altman  
Magistrate Judge

**UNDER SEAL**

**ORDER**

The UNITED STATES OF AMERICA by its attorney, MATTHEW SCHNEIDER, United States Attorney for the Eastern District of Michigan, having moved this Court to Extend the Time to Return the Electronic Devices and Storage Media, and having demonstrated good cause in support of its motion,

IT IS HEREBY ORDERED THAT the government will return the electronic devices and storage media being searched pursuant to these search warrants by May 17, 2021, unless the electronic devices or storage media contain contraband or constitute an instrumentality of crime, or unless otherwise ordered by the Court.

ENTERED:

  
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ELIZABETH STAFFORD  
United States Magistrate Judge

DATE: January 17, 2021